

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejection of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-11 are pending. Claims 1 and 9-11 are independent. Claims 1-3, 5, 6 and 9-11 are hereby amended. No new matter has been introduced. Support for this amendment can be found throughout the Specification as originally filed and specifically on pages 11-14 and 17. It is submitted that these claims, as originally presented, were in full compliance with the requirements of 35 U.S.C. §112. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

Claims 10 and 11, which were rejected under 35 U.S.C. §101, have been amended thereby obviating the rejection.

II. REJECTIONS UNDER 35 U.S.C. §102(e)

Claims 1-5 and 7-11 were rejected under 35 U.S.C. §102(e) as allegedly anticipated by U.S. Patent No. 6,584,559 to Huh, et al. (hereinafter, merely "Huh").

Claim 1 recites, *inter alia*:

“An information processing apparatus comprising:

download processing means for downloading a software of a predetermined number of files into said storage area and for obtaining a total sum of an error for each of said files;

first calculating means for calculating a first calculation value indicative of an error for each of said files;

second calculating means for calculating a second calculation value indicative of a total error of said files on the basis of said first calculation value when all said files are downloaded; and

determining means for determining whether said information processing apparatus has normally ended by comparing said second calculation value with said total sum.”
(Emphasis added)

As understood by Applicants, Huh relates to a system which programs a permanent version of firmware in ROM and employs a validation scheme for downloaded firmware. The downloaded firmware is executed when the validation scheme successfully validates the firmware. In the event that the downloaded firmware fails to download successfully or bring up the system, the processor is able to complete the booting process using the permanent or most recently validated version of firmware.

Applicants submit that Huh fails to teach or suggest the above-identified features of claim 1. Specifically, there is no teaching or suggestion of a download processing means for downloading a software of a predetermined number of files into a storage area and obtaining a total sum of an error for each of said files, a first calculating means for calculating a first calculation value indicative of an error for each of said files, a second calculating means for calculating a second calculation value indicative of a total error of said files on the basis of said first calculation value when all said files are downloaded and a determining means for

determining whether said information processing apparatus has normally ended by comparing said second calculation value with said total sum, as recited in independent claim 1.

Therefore, Applicants submit that independent claim 1 is patentable.

For reasons similar to, or somewhat similar to, those described above with regard to independent claim 1, independent claims 9-11 are also believed to be patentable.

III. DEPENDENT CLAIMS

The other claims in this application are each dependent from one of the independent claims discussed above and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

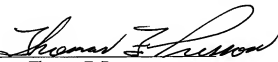
In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference it is respectfully requested that the Examiner specifically indicate those portion or portions of the reference providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

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